

REMARKS

Claims 1-26 are pending in this application. Applicants have amended their claims herein to more clearly define their invention.

Claims 1, 11, and 21, are amended herein to recite use of an information storage and retrieval system owned by a storage system owner, where that information storage and retrieval system is in communication with a plurality of host computers, wherein at least two of said plurality of host computers are owned by different host computer owners, and wherein those different host computer owners differ from said storage system owner. Support can be found in the Specification on Page 14 at Lines 1 through 13.

Claim 1 is further amended to recite forming by said storage system owner (N) host computer groups, wherein (N) is greater than or equal to 1. Support can be found in the Specification on Page 15 at Lines 11-13.

Claim 1 is further amended to recite assigning by said storage system owner each of said plurality of host computers to one of the (N) host computer groups. Support can be found in the Specification on Page 16 at Lines 13-15.

Claim 1 is further amended to recite forming by said storage system owner (N) logical volume groups. Support can be found in the Specification on Page 16 at Lines 18-20.

Claim 1 is further amended to recite assigning by said storage system owner one or more of said plurality of logical volumes to the (i)th logical volume group, wherein (i) is greater than or equal to 1 and less than or equal to (N). Support can be found in the Specification on Page 17 at Lines 3-5.

No new matter has been entered. Reexamination and reconsideration of the application,

as amended, is respectfully requested.

Claims 1-7, 10-17, and 20-26, stand rejected under 35 USC 102(e) as being anticipated by Shinohara et al. (U.S. Pat. No. 7,103,665).

Claims 8-9 and 18-19 stand rejected under 35 USC 103(a) as being unpatentable over Shinohara et al. in view of Burton et al. (US Pat. No. 6,633,962).

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of Cal.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed.Cir. 1987); MPEP 2131. Moreover, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed.Cir. 1989).

Shinohara et al. nowhere teach use of an information storage and retrieval system owned by a storage system owner, where that information storage and retrieval system is in communication with a plurality of host computers, wherein at least two of said plurality of host computers are owned by different host computer owners, and wherein those different host computer owners differ from said storage system owner, as recited by claims 1, 11, and 21, as amended herein.

Furthermore, Shinohara et al. nowhere teaches or suggests a method wherein the storage system owner forms (N) host computer groups, wherein (N) is greater than or equal to 1, assigns each of said plurality of host computers to one of the (N) host computer groups, forms (N) logical volume groups, and assigns one or more of said plurality of logical volumes to the (i)th logical volume group, wherein (i) is greater than or equal to 1 and less than or equal to

(N), as recited in claim 1, as amended herein.

Claims 2 through 7, depend, directly or indirectly, from claim 1. Under 35 U.S.C. § 112, fourth paragraph, “a claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers.” For the reasons set forth above, Applicants respectfully submit that Shinohara et al. fail to teach all the elements of Applicants' claim 1, as amended herein. This being the case, Applicants respectfully submit that claims 2 through 7, as amended herein, are not anticipated by Shinohara et al..

Claims 12 through 17, depend, directly or indirectly, from claim 11. Under 35 U.S.C. § 112, fourth paragraph, “a claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers.” For the reasons set forth above, Applicants respectfully submit that Shinohara et al. fail to teach all the elements of Applicants' claim 11. This being the case, Applicants respectfully submit that claims 12 through 17 are not anticipated by Shinohara et al..

Claims 22 through 26, depend, directly or indirectly, from claim 21. Under 35 U.S.C. § 112, fourth paragraph, “a claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers.” For the reasons set forth above, Applicants respectfully submit that Shinohara et al. fail to teach all the elements of Applicants' claim 21. This being the case, Applicants respectfully submit that claims 22 through 26 are not anticipated by Shinohara et al..

Neither Shinohara et al. nor Burton et al, singly or in combination, teach or suggest use of an information storage and retrieval system owned by a storage system owner, where that information storage and retrieval system is in communication with a plurality of host

computers, wherein at least two of said plurality of host computers are owned by different host computer owners, and wherein those different host computer owners differ from said storage system owner, as recited by claims 8, 9, 18, and 19, as amended herein. This being the case, Applicants respectfully submit that claims 8, 9, 18, and 19, as amended herein, are patentable over the combined teachings of Shinohara et al. and Burton et al.

Having dealt with all of the outstanding objections and/or rejections of the claims, Applicants submit that the application as amended is in condition for allowance, and an allowance at an early date is respectfully solicited. In the event there are any fee deficiencies or additional fees are payable, please charge them, or credit an overpayment, to our Deposit Account No. 502262.

Respectfully submitted,

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CERTIFICATE OF ELECTRONIC FILING

I hereby certify that on this 1st day of February, 2007, that Preliminary Amendment is being filed via the Web Enabled Patent Filing System (EFT-WEB).

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